

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Koichi NITTA et al.,
Serial No: Not assigned (parent 10/118,604)
Filed: March 8, 2004
For: LIGHT EMITTING DEVICE

Art Unit: Not assigned
Examiner: Not assigned

**TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the

information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. **A copy of this petition is enclosed.**

5. ☒ A list of 27 reference(s) is in the enclosed Form PTO-1449. Pursuant to 37 C.F.R. § 1.98(d), copies of the listed reference(s) are not provided since they were submitted in parent application Serial No. 10/118,604, the benefit of the filing date of which is claimed herein under 35 U.S.C. § 120.

NON-ENGLISH LANGUAGE REFERENCES

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references: N/A

Respectfully submitted,
HOGAN & HARTSON L.L.P.

By: 

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Attorney for Applicant(s)

Date: March 8, 2004

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FORM PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION***(Use several sheets if necessary)***Docket Number (Optional)**
81788.0267**Application Number**
Not assigned**Applicant**
NITTA, et al.**Filing Date**
March 8, 2004**Group Art Unit**
Not assigned**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,274,890	08/14/01	Oshio et al.			
	6,091,139	07/18/00	Adachi et al.			
	5,998,925	12/07/99	Shimizu et al.			
	RE 36,614 (4,843,280)	03/14/00	Lumbard et al.			
	09/080,300		Oblon et al.			
	09/803,457					
	09/143,905					
	5,907,151	05-1999	Gramann et al.	250	214.1	
	4,034,466	07-1977	Thome	29	588	
	6,333,522 B1	12-2001	Inoue et al.	257	99	
	5,841,177	11-1998	Komoto	257	431	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	5-21458	03/19/93	Japan				
	10-319877	12/04/98	Japan				
	08-335720	12/17/96	Japan				
	2001-077433	03/23/01	Japan				
	JP408330633A	12-1996	Japan				
	JP02000208818A	07-2000	Japan				
	62-054974	03-1987	Japan				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER**DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

FORM PTO-1449			Docket Number (Optional) 81788.0267		Application Number Not assigned	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			Applicant <div style="text-align: right;">NITTA, et al.</div>			
<i>(Use several sheets if necessary)</i>			Filing Date March 8, 2004		Group Art Unit Not assigned	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,340,824	01-2002	Komoto et al.			
	5,489,800	02-1996	Brown et al.			
	Re. 36,446	12-1999	Lumbard et al.			
	2002/0158257	10-2002	Nei			
	5,763,901	06-1998	Komoto et al.			
	2001/0024087	09-2001	Suehiro et al.			
	5,861,680	01-1999	Yamanaka			
	5,430,330	07-1995	Takahama et al.			
	5,832,600	11-1998	Hashimoto			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER	DATE CONSIDERED					
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						